

In the Court of Principal Sessions Judge, Kanniyakumari District
at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Principal Sessions Judge.

Friday, the 6th day of March, 2026.

CrI.M.P. No. 764/2026
(CNR.No.TNKK01-001156-2026)

1. Amala Bai Vargees @ Amala Bai (A2)

W/o. Vargees

2. Shyla @ Rajam, W/o Vins Raj (A3)

3. Kumari Sabin @ Kumari (A4)

C/o Sabin

4. V. Rathina Raj, S/o Vargees (A5)

... Petitioners

/Vs./

State of Tamil Nadu,

Through the Inspector of Police,

All Women Police Station, Marthandam,

Crime No. 16/2026 of AWPS, Marthandam,

Rep. by Public Prosecutor,

Nagercoil.

... Respondent

This petition is filed by Advocate Thiru R. Jawahar Lal, u/s 482
of BNSS, praying to grant anticipatory bail to the petitioners.

ORDER

Heard both side. Perused the petition.

2. The petitioners/accused are alleged to have committed the offences u/s 85, 316(2), 351(1) of BNS and Sec. 3, 4 and 6 of Dowry Prohibition Act.

3. The case of the prosecution is that the marriage between the defacto complainant and the 1st accused was solemnized on 01.02.2025, the defacto complainant was subjected to persistent physical and mental cruelty by her husband and his family who are A1 to A5 regarding dowry and despite providing 39 sovereigns of gold and Rs.5 lakhs in cash and Rs 1.5 lakhs worth of household articles, at the time of marriage and subsequent to the marriage, the accused misappropriated these assets and demanded additional dowry and specifically compelling the defacto complainant to transfer the ownership of her paternal home to 1st accused. Hence the charge.

4. The learned counsel for the petitioners submitted that the 1st petitioner is the mother, 2nd and 3rd petitioner are the sisters and the 4th petitioner is the brother of the 1st accused and the petitioners are innocent and they have not committed any offence as alleged by the prosecution and at the time of marriage, the accused persons never demanded any dowry and the defacto complainant lived with the 1st accused only for two months i.e from 02.01.2025 to 05.03.2025 and she suffered from chronic mental and physical ailments and underwent medical treatment before marriage and she was not interested in matrimonial and sexual life and slept separately and she

caused mental agony to the 1st accused and the 1st accused has filed a petition for divorce before the Family Court, Padmanabhapuram and the present complaint is a malicious attempt to force the 1st accused to withdraw the divorce case and the 2nd petitioner is a senior citizen aged 72 years and the petitioners 2 to 4 are living far away from the matrimonial house of the defacto complainant and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

5. The learned Public Prosecutor opposed the application and submitted that totally there are 5 accused in this case. The 1st petitioner is the mother in law, 3rd and 4th petitioners are the sister in law and the 5th petitioner is the brother in law of the defacto complainant and the marriage between the 1st accused and the defacto complainant was solemnized on 02.01.2025. These petitioners and the 1st accused demanded more dowry from the defacto complainant and also compelled the defacto complainant to transfer the ownership of the house to the 1st accused. Moreover, the accused persons said to the defacto complainant that if the ownership of the property is not transferred to 1st accused, she shall not sleep with the 1st accused. All the jewels of the defacto complainant are with the 1st accused and moreover, they threatened the defacto complainant and it is a matrimonial dispute and the 1st accused was granted interim anticipatory bail by this court on 05.03.2026 in CrI.M.P.No. 747/2026 and if the petition is allowed, same

condition is to be imposed.

6. Considering the nature of the offences alleged to have been committed by the petitioners/accused and also considering the fact that it is a matrimonial dispute between the 1st accused and the defacto complainant and the petitioners are the inlaws of the defacto complainant and also considering the fact that the 1st accused was granted interim anticipatory bail by this court on 05.03.2026 in CrI.M.P.No. 747/2026, this court is inclined to grant interim anticipatory bail to the petitioners/Accused till 06.04.2026 with conditions.

7. In the result in the event of arrest or on their appearing before the court concerned the petitioners are ordered to be enlarged on interim anticipatory bail on their executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.I, Kuzhithurai subject to the following conditions :-

- i). The petitioners shall appear before the court concerned on or before 17.03.2026.
- ii). After release, the petitioners shall appear and sign before the respondent police daily at 10.00 A.M. until further orders.
- iii). The petitioners shall also make themselves available before the respondent as and when required.

iv). The petitioners shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.

v). The petitioners shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

This petitioners/Accused and the defacto complainant are directed to appear before the Mediation Centre, Nagercoil on 18.03.2026 at 11.30 A.M. and other subsequent dates to be fixed by the Mediators for mediation.

Call on 06.04.2026.

Pronounced by me in open court this the 6th day of March, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To
The Judicial Magistrate No.I, Kuzhithurai. (through e-mode)
The Mediation Centre, Nagercoil. (through e-mode)
The Inspector of Police, All Women Police Station, Marthandam.
(through court cell e-mode)
The counsel for the petitioners.

